

## REMARKS

This application has been reviewed in light of the Office Action dated June 6, 2006. Claims 1 and 4 are presented for examination, of which Claim 1 is in independent form. Claim 1 has been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

The specification has been amended to conform the Summary of Invention section to the amended claims.

Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,393,219 (Sensui) in view of U.S. Patent No. 6,809,768 (Merrill).

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sensui and Merrill in view of U.S. Patent No. 4,652,109 (Tsunekawa et al.).

As shown above, Applicant has amended independent Claim 1 in terms that more clearly define what he regards as his invention. Applicant submits that this amended independent claim, together with the remaining claim dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Claim 1 is directed to an image pickup apparatus, including an output unit which outputs a first electric signal corresponding to a first light flux included in light fluxes respectively from different areas dividing an exit pupil area of an imaging optical system, and a second electric signal corresponding to a second light flux different from the first light flux, included in the light fluxes. The apparatus also includes a plurality of pixel units each including a first sensitive area for outputting the first electric signal, and a second sensitive area for outputting the second electric signal. The first sensitive area and the second sensitive area are arranged to

each include a sensitive area where the first light flux and the second light flux overlap each other.

Among other notable features of Claim 1 is that the first sensitive area and the second sensitive area are arranged to each include a sensitive area where the first light flux and the second light flux overlap each other.

Sensui relates to a multipoint focus detecting apparatus of a camera including a plurality of exit pupil dividing devices, a plurality of pairs of light distribution forming devices, a plurality of array type photoelectric conversion sensors, a focus detection zone determining device and at least one condensor lens positioned between the focus detection zone determining device and the plurality of exit pupil dividing devices. Applicant has found nothing in Sensui that would teach or suggest “wherein the first sensitive area and the second sensitive area are arranged to each include a sensitive area where the first light flux and the second light flux overlap each other,” as recited in Claim 1.

The disclosure of Merrill does not remedy the deficiencies of Sensui. Merrill relates to a plurality of double slope MOS active pixel sensors. The pixel sensors of Merrill include two photodiodes 12 and 14, which have their anodes connected to ground potential. Merrill discusses the output voltage of the photodiodes as a function of the integrated light signals for the pixel sensor (see Figure 2). Merrill also discloses a digital camera employing the pixel sensors that has a prism 82 and a lens 86 which projects an image through a face 88 of the prism 82, thereby splitting the image into red, green and blue images which are each focused onto one of output faces 90, 92 and 94 of prism 82. Attached to the three output faces are three chip-on-board assemblies including an array of pixel sensors.

However, Applicant submits that nothing has been found in Merrill that would

teach or suggest “wherein the first sensitive area and the second sensitive area are arranged to each include a sensitive area where the first light flux and the second light flux overlap each other,” as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is allowable over Sensui and Merrill.

A review of the other art of record has failed to reveal anything which, in Applicant’s opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requestS favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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